

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIAN KELLEY, et al.,

Plaintiffs,

v.

AW DISTRIBUTING, INC., et al.,

Defendants.

Case No. [20-cv-06942-JSW](#)

**ORDER GRANTING PETITION FOR
MINOR'S COMPROMISE**

Re: Dkt. No. 320

Now before the Court for consideration is the petition for approval of minor's compromise, filed on behalf of Plaintiff J.O. The Court has considered the petition, the lack of opposition, the supplemental declaration filed on November 21, 2023, relevant legal authority, and the record in this case. The Court VACATES the hearing scheduled for December 8, 2023 and GRANTS the petition.

1. The Court concludes the settlement of the wrongful death claims made by J.O. for the deaths of his mother Sara Schneider and his sister H.H. is fair and reasonable.

2. The Court approves the settlement of the claims of Minor J.O. against all Defendants, as compromised pursuant to the terms of the settlement reached among the parties, and as further described in the Petition.

3. The settlement shall be apportioned as follows: 80% for the wrongful death of Sara Schneider and 20% for the wrongful death of H.H.

4. The proceeds of the settlement being distributed to J.O. shall be deposited in the irrevocable trust attached to the supplemental declaration of David Bland, or a similar irrevocable trust or similar vehicle. Such trust shall be set up such that Co-Guardians Shneider and Olver are trustees along with a corporate trustee. Until this trust is created, the settlement proceeds to be

distributed to J.O. shall be deposited in the Robins Kaplan LLP IOLTA Trust Account. If the trust attached to the declaration of David Bland is not established, Robins Kaplan shall provide the Court with a declaration describing any new trust, including all terms, before any funds are moved to the trust.

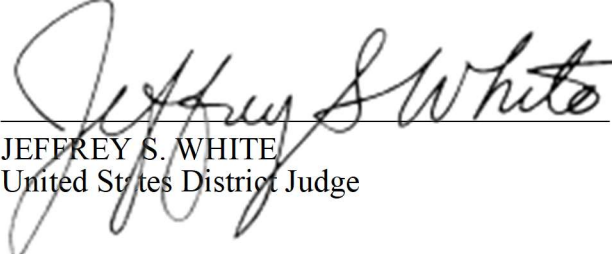
5. The amount identified in the Petition for Minor E.M. shall be held in the IOLTA Trust Account of Robins Kaplan LLP to be transferred to E.M.'s mother once an appropriate bank account or trust account is set up for E.M. to properly receive these funds.

6. The Court APPROVES the distribution of attorneys' fees and costs to Plaintiffs' counsel as set forth in the petition.

7. The Court will retain jurisdiction over the enforcement of the Settlement Agreement.

IT IS SO ORDERED.

Dated: November 28, 2023



JEFFREY S. WHITE
United States District Judge